

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSHUA FORDYCE, A.K.A. BRITTANY  
FORDYCE,

Plaintiff,

v.

HEATHER SHIRLEY, et al.,

Defendants.

No. 1:25-cv-00106 GSA (PC)

ORDER DENYING PLAINTIFF'S MOTION  
FOR THE APPOINTMENT OF COUNSEL

(ECF No. 12)

Plaintiff has filed a motion for the appointment of counsel. ECF No. 12. Plaintiff, however, provides no facts or law in support of the request. See id.

The United States Supreme Court has ruled that district courts lack authority to require counsel to represent indigent prisoners in § 1983 cases. Mallard v. United States Dist. Court, 490 U.S. 296, 298 (1989). In certain exceptional circumstances, the court may request the voluntary assistance of counsel pursuant to 28 U.S.C. § 1915(e)(1). Terrell v. Brewer, 935 F.2d 1015, 1017 (9th Cir. 1991); Wood v. Housewright, 900 F.2d 1332, 1335-36 (9th Cir. 1990).

Given that Plaintiff has provided no support for the request for the appointment of counsel, the court does not find the required exceptional circumstances. Therefore, the motion will be denied.

1 Accordingly, IT IS HEREBY ORDERED that Plaintiff's request for the appointment of  
2 counsel (ECF No. 12) is DENIED.

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5 IT IS SO ORDERED.

6 Dated: February 3, 2025

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE